

REMARKS

Applicant requests favorable reconsideration and allowance of this application in view of the foregoing amendments and the following remarks.

Claims 1 through 15, 27, 41, 65, and 66 are pending in this application, with Claims 1, 15, 27, 41, 65, and 66 being independent.

Claim 67 has been cancelled without prejudice. Claims 1-10, 13-15, 27, 41, 65 and 66 have been amended. Applicant submits that support for the amendments can be found in the original disclosure, and therefore no new matter has been added.

Claims 1-15, 27, 41, 65 and 66 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Applicant has amended the claims in view of the Examiner's comments, and Applicant submits that these amendments overcome the Examiner's objections. Favorable reconsideration and withdrawal of this rejection are requested.

Claims 1, 4-5, 10, 13-15, 27, 41, and 67 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,330,672 (Shur). Applicant respectfully traverses this rejection for the reasons discussed below.

As recited in Claim 1, the present invention includes the features of discriminating a process, in which an electronic watermark is to be applied to data to be registered, from among a plurality of different processes that are executed for the data to be registered, and registering the data to be registered and management information based on the discrimination result so that the electronic watermark is applied to the data during the discriminated process.

Applicant submits that the cited art fails to disclose or suggest at least these features. In particular, Shur does not disclose or suggest registering data and management information based on a discrimination process as recited in Claim 1. Accordingly, Applicant submits that Claim 1 is patentable over the cited art.

Claim 27 recites features similar to those of Claim 1 and is believed patentable for similar reasons.

As recited in Claim 15, the present invention includes the features of discriminating a process, in which an electronic watermark is to be applied to data to be registered, from among a plurality of different processes, registering the data and management information based on the discrimination, and applying an electronic watermark to data during the process designated by the management information.

Applicant submits that the cited art also fails to disclose or suggest at least these features. Shur does not disclose or suggest the discriminating and registering features and also does not disclose or suggest applying an electronic watermark to data during a process designated by management data. Accordingly, Applicant submits that Claim 15 is patentable over the cited art.

Claim 41 recites features similar to Claim 15 and is believed to be patentable for similar reasons.

Claims 2-3, 6-8, 65, and 66 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Shur. Applicant respectfully traverses this rejection for the following reasons.

As recited in Claims 65 and 66, the present invention includes, *inter alia*, the feature of deciding, based on an intended use of image data, at least one of (i) a process during which an electronic watermark is to be applied to the image data from among a plurality of processes to be executed for the image data, (ii) information to be applied to the image data as an electronic watermark, and (iii) a type of an electronic watermark to be applied to the image data.

Applicant submits that the cited art fails to disclose or suggest at least this feature. In particular, none of the cited art either discloses or suggest deciding, based on an intended purpose of image data, at least one of a process in which an electronic watermark is to be applied, the information to be applied as the watermark, and the type of watermark. Accordingly, Applicant submits that the present invention as recited in Claims 65 and 66 is patentable over the art of record.

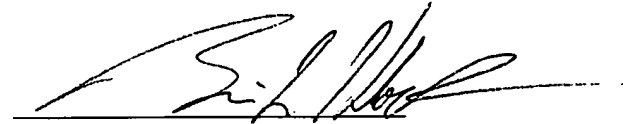
The other art of record also fails to disclose or suggest at least the above-mentioned features and therefore does not add anything to Shur which would render obvious the present invention recited in the independent claims.

The dependent claims are believed patentable for at least the same reasons as the independent claims, as well as for the additional features they recite.

In view of the foregoing, this application is believed to be in condition for allowance. Favorable reconsideration, reconsideration and withdrawal of the outstanding rejections, and an early Notice of Allowance are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 721-5427. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brian L. Klock", written over a horizontal line.

Attorney for Applicant
Brian L. Klock
Registration No. 36,570

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
BLK/lmj